

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:05CR212-1

UNITED STATES OF AMERICA

VS.

LISA FAITH DAVIS

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ORDER

THIS MATTER is before the Court on the Defendant's motion for a modification of her presentence report filed November 20, 2006.

Defendant asks the Court to remove the three-point enhancement imposed pursuant to U.S.S.G. § 2B3.1(b)(2)(E) for the use of a firearm in furtherance of the bank robbery charged in the indictment. There is no statutory authority or case law (nor does the Defendant cite any such authority) that allows a district court to "modify" a presentence report once a sentence has been imposed.

IT IS, THEREFORE, ORDERED that the Defendant's motion for modification of her presentence report is **DENIED**.

Signed: November 27, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

